

ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT
Lancaster, California
MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
June 8, 2009

I. CALL TO ORDER

The regular meeting of the Board of Trustees of Antelope Valley Community College District was held on Monday, June 8, 2009, at Antelope Valley College, 3041 West Avenue K, Lancaster, California. Mr. Jack Seefus, President, called the meeting to order at 5:35 p.m. in Room A140, Administration Building.

II. ATTENDANCE

Board Members Present

Jack Seefus, President
Betty Wienke, Vice President
Steve Fox, Clerk
Steve Buffalo
Earl Wilson

College Staff/Representatives Present

Jackie L. Fisher, Sr.
Rosa Hall
Sharon Lowry
Deborah Wallace

III. COMMENTS FROM COMMUNITY GROUPS AND INDIVIDUALS
REGARDING CLOSED SESSION AGENDA ITEMS ONLY – No comments.

IV. CLOSED SESSION - The Board of Trustees adjourned to closed session at 5:36 p.m. to consider:

- A. Appointment of administrators, appointment of academic faculty, appointment of classified personnel, and employment of student assistants and short-term hourly staff as listed on Personnel Schedule No. 12-2008/09-PS (Government Code § 54957)
- B. Consideration of public employee discipline/dismissal/release (Government Code § 54957)
- C. Conference with Ms. Wallace (labor negotiator) regarding Antelope Valley College Federation of Classified Employees and Antelope Valley College Federation of Teachers negotiations (Government Code § 54957.6)

V. Board President Seefus reconvened the meeting in Room SSV 151, Student Services Building, at 6:32 p.m.

VI. ATTENDANCE

Board Members Present

Jack Seefus, President
Betty Wienke, Vice President
Jack Seefus, Clerk
Steve Buffalo
Earl J. Wilson
David Brown, Student Trustee

College Staff/Representatives Present

Jackie L. Fisher, Sr.
Rosa Hall
Sharon Lowry
Deborah Wallace
Patricia Márquez
Susan Lowry (for Heidi Preschler)
Pamela Ford

Cynthia Hoover (for Terry Cleveland)
Bridget Razo
John Cabral

VII. PLEDGE OF ALLEGIANCE – Mr. Fox led the Board and audience in the Pledge of Allegiance.

VIII. APPROVAL OF MEETING AGENDA – On a motion by Mr. Fox, seconded by Mr. Buffalo, the meeting agenda was approved without changes. Motion carried unanimously (5/0).

IX. OPEN FORUM ON NON-AGENDA ITEMS

Interim Dean of Visual and Performing Arts Jeffrey Cooper and Associate Professor of Photography Lisa Francey-Karlstein presented trustees with books featuring the work of spring 2009 photography students.

Ronald Granados of Granados Partners, LLC, contended that after making a presentation and providing materials to the Superintendent/President, he was unfairly left off the meeting agenda to make a presentation regarding alternatives to the Chevron Energy Solutions project. Mr. Granados maintained that the district should have issued a request for proposals and claimed that his firm works with many other colleges and Chevron Energy Solutions employees are working with his company.

X. COMMENTS FROM COMMUNITY GROUPS AND INDIVIDUALS REGARDING AGENDA ITEMS

Hazen Buckley, Sharon Griffing, Brandon Boozari, David Morris, and attorney Salar Atrizadeh submitted written comments and spoke in favor of reinstating and granting tenure to Payam Heidary. Mr. Heidary spoke on his own behalf and submitted a letter of support from adjunct instructor Marina Sangkavichai for the record. A public comment card was submitted on behalf of Brenda Fowler, however, she did respond when called to the podium.

XI. OATH OF OFFICE FOR NEWLY ELECTED STUDENT TRUSTEE

Dr. Jackie L. Fisher, Sr., Superintendent/President, administered the oath of office to newly elected student trustee David Brown.

XII. PRESENTATIONS

A. Energy Audit Agreement Analysis with Chevron Energy Solutions

Ashu Jain, Senior Business Development Manager of Chevron Energy Solutions, and Greg Coxson, Regional Sales Director, presented a proposal for energy infrastructure improvements. Mr. Jain stated that the project, which would include a redesigned central plant, retrofitted lighting, a weather-based irrigation system, and solar shade

structures, would have no financial impact on the college and that energy savings are guaranteed. He noted that the central plant is an approved project that was included in the local bond construction measure and is needed to serve the new buildings planned for the campus.

In response to questions from Mr. Fox, Mr. Jain advised that the company would hire local contractors whenever possible and could consider including the funding of an instructor in its proposal.

Mr. Seefus inquired about the time frame for project completion. Mr. Jain explained that if the proposal is approved by the Board in July, the central plant would be completed by June 30, 2010, and the solar project would be installed in six to eight months.

Mr. Jain clarified in response to questions from Mrs. Wienke and Mr. Brown that the price is guaranteed, the interest rate is fixed for the life of the loan, and any additional costs would be the responsibility of Chevron Energy Solutions.

B. Accountability Reporting for the Community Colleges

Director of Institutional Research and Planning Theodore Younglove and Research Technician Aaron Voelcker presented information regarding Antelope Valley College's scores on seven performance indicators included in the annual *Accountability Reporting for the Community Colleges* required under Assembly Bill 1417. Mr. Younglove reminded trustees that the full report includes both individual college and systemwide performance data, and Mr. Voelcker explained that for each of the seven measures, the college is compared to separate, statistically-formed peer groups.

Mr. Voelcker reported that the annual successful course completion rate for credit vocational courses showed a slight decline, but the college made improvements in the student progress and achievement rate, percent of students who earned at least 30 units, persistence rate, annual successful course completion rate for credit basic skills course, improvement rate for credit basic skills courses, and improvement rate for credit English as a second language (ESL) courses. He noted that the college ranked near the top of its peer groups in student progress and achievement and the percent of students who earned at least 30 units, but near the bottom of its improvement rate for credit ESL courses peer group.

In response to questions from Mr. Seefus and Mrs. Wienke, Mr. Younglove explained that because of coding, the ESL improvement rate does not show student progress for courses more than four levels below college-level English. He indicated that since some of Antelope Valley College's ESL courses fall eight levels below college-level English, the numbers do not accurately reflect the improvement of all ESL students.

C. Student Learning Outcomes

Student Learning Outcomes Committee co-chairs Melanie Parker and Theodore Younglove provided a report of the college's progress in developing and assessing student, program, and operational learning outcomes. Ms. Parker noted that 93 percent of academic courses have approved student learning outcomes and 31 percent of academic programs have created program learning outcomes. She also remarked that although the move toward student learning outcomes was prompted by accreditation standards, many faculty members have embraced the change to working from a culture of evidence and are finding that they are learning a lot about students.

XIII. REPORT OF CLOSED SESSION ACTION

A. Approval of Contract of Superintendent/President (Public session action item)

On a motion by Mrs. Wienke, seconded by Mr. Wilson, the Board of Trustees approved the contract of employment with Jackie L. Fisher, Sr. for the period of July 1, 2010, through June 30, 2012. Student trustee's advisory vote: in favor. Motion carried unanimously (5/0).

Board President Seefus announced the following action taken during closed session:

- On a 5/0 vote, the Board of Trustees approved appointment of academic faculty; appointment and placement on 39-month reemployment list of classified personnel; employment of student assistants and short-term hourly staff; and appointment of volunteer as listed on Personnel Schedule No. 12-2008/09-PS pages 12.1 (a) through addendum.
- On a 5/0 vote, the Board of Trustees denied an academic faculty request for leave without pay as listed on Personnel Schedule No. 12-2008/09-PS page 12.1.

***XIV. APPROVAL OF THE CONSENT AGENDA**

- * A. Minutes of the May 11, 2009, Regular Meeting of the Board of Trustees
- * B. Purchase Order Schedule 12-2008/09-PO
- * C. Travel Authorization No. 12-2008/09-T
- * D. Cafeteria Report No. 12-2008/09-C
- * E. Bookstore Report 12-2008/09-B
- * F. Auxiliary Services Fund Financial Statement No. 12-2008/09-AS/FS
- * G. Antelope Valley College Financial Statements F/S-9
- * H. Measure R Expenditures Recap
- * I. Consent Communication No. 21-2008/09-CC/BS, Approval of Contract Renewal for Coffee Corner
- * J. Consent Communication No. 22-2008/09-CC/BS, Declaration of Indefinite Salaries/Retroactive Pay 2009-2010
- * K. Authorization to Renew License Contract with LACOE for 2009-2010 for Use of Software Personal Computer Products for District Use of HRS and/or PSFS Data

Mr. Fox moved, Mrs. Wienke seconded, that the Board of Trustees approve the consent agenda items. Advisory vote: in favor. Motion carried unanimously (5/0).

XV. ACTION ITEMS

A. Communication No. 216-2008/09-BS, Presentation of Tentative Budget for Fiscal Year 2009-2010

On a motion by Mr. Fox, seconded by Mr. Brown, the Board of Trustees approved the 2009-2010 Tentative Budget. Motion carried unanimously (5/0).

Vice President of Business Services Deborah Wallace detailed the assumptions used in preparing the tentative budget, a process she described as challenging due to the state's deteriorating economy and uncertainty about the depth of cuts to community colleges that will emerge from state budget deliberations. She stated that the district expects deficit funding, no cost of living adjustment, no growth funding, a 30 percent reduction in revenue for categorical programs, deficit spending due to property tax shortfalls, interest expenses due to the state deferrals, a 10 percent increase in health and welfare benefits, \$2 million reserve for contingency to mitigate revenue cuts, and a continuing hiring freeze. In addition, she stated that the latest information received from the California Community Colleges Chancellor's Office indicates that the Governor is proposing an additional \$115 million in deferrals as well as additional cuts for 2008-2009.

In response to questions from Mr. Fox and Mr. Seefus, Ms. Wallace explained that the district's unrestricted reserve would fund operating costs for approximately one month and noted that the district is planning to increase the unrestricted reserve to 10 percent in order to better mitigate shortfalls.

With regard to questions from Mr. Fox, Mr. Buffalo, and Mr. Seefus concerning interest expenses, Director of Business Services Diana Keelen explained that the district was able to negotiate an interest rate of less than 3 percent (net rate of less than one percent) on the \$7.25 million borrowed to cover cash flow shortages in light of the state deferral. She estimated interest expenses between \$30,000 and \$50,000.

Ms. Wallace advised in reply to an inquiry from Mrs. Wienke that although health and welfare benefits are expected to increase by ten percent, the overall benefits costs for 2009-2010 will be lower due to the hiring freeze implemented in 2008-2009 and attrition. She also clarified for Mrs. Wienke that while federal college work study pass through for students continues to increase, the district is required to match 25 percent of the funding.

Strategic planning, which began two years ago, for mitigating the extensive budget cuts was shared by Ms. Wallace. Mr. Buffalo expressed concern that the campus would be allowed to deteriorate because of the budget cuts and recommended that redevelopment funds be used for ongoing maintenance and repairs. Mrs. Wienke expressed frustration with the state's decision to cut funding for 2008-2009 three

weeks before the end of the fiscal year, much too late for the district to make changes to the schedule or take other actions that would minimize impact. Mr. Wilson remarked that after 34 years on the Board, he believes that this is the worst budget year he has experienced. Dr. Fisher invited trustees to attend the joint meetings between the Strategic Planning and Budget Council and Enrollment Management Committee that will be held every Wednesday at 2:30 p.m. throughout the summer to plan for limiting growth and mitigating cuts.

B. Communication No. 217-2008/09-BS, Approval of District's Five-Year Construction Plan

On a motion by Mrs. Wienke, seconded by Mr. Fox, the Board of Trustees approved the Five-Year Construction Plan and submittal of the final and initial project proposals as presented. Advisory vote: in favor. Motion carried unanimously (5/0).

C. Communication No. 218-2008/09-S, Accreditation – Discussion of Accreditation Standard IV.A.1.

The Board of Trustees reviewed accreditation standard IV.A.1 and associated board policies and administrative procedures. With regard to the suggested questions for peer team evaluators for shown in the attachment to the communication, Mrs. Wienke indicated that it was difficult for the Board to assess how well the college is meeting the standard without seeing results of the recent accreditation survey. Dr. Fisher agreed to present survey results at the next meeting.

Dr. Fisher reminded trustees that one of the recommendations made at the Board of Trustees retreat was to provide trustees with an opportunity to discuss accreditation and specific standards related to the Board at each meeting. He also spoke of the importance of board members developing a comprehensive understanding of accreditation. On a motion by Mr. Buffalo, seconded by Mr. Wilson, the Board of Trustees affirmed the policies presented as well as the process of reviewing accreditation standards at each regular meeting. Advisory vote: in favor. Motion carried unanimously (5/0).

D. Communication No. 219-2008/09-S, Agreement to Allow Palo Verde College to Conduct English as a Second Language and Basic Skills Courses within the District from 2009-2010 through 2011-2012 for the Farmworker Institute for Education and Leadership Development

On a motion by Mrs. Wienke, seconded by Mr. Wilson, the Board of Trustees voted to permit Palo Verde College to conduct English as a second language (ESL) and basic skills courses within the district served by Antelope Valley College for a period of three years. Advisory vote: in favor. Motion carried unanimously (5/0).

E. Communication No. 220-2008/09-SSV, Health Services 2009-2010

On a motion by Mrs. Wienke, seconded by Mr. Wilson, the Board of Trustees approved the memorandum of understanding (attachment A) with the Visiting Nurse Community Services to provide “CARE-A-VAN Mobile Health Clinic” services on campus for the 2009-2010 academic year. Advisory vote: in favor. Motion carried unanimously (5/0).

F. Communication No. 221-2008/09-AA, Staff Development Projects for 2008-2009

On a motion by Mr. Buffalo, seconded by Mr. Wilson, the Board of Trustees approved the staff development final project reports presented. Advisory vote: in favor. Motion carried unanimously (5/0).

G. Communication No. 222-2008/09-BS, Ratification of Change Orders on Bid #2007/2008-6, M&O/Warehouse Building Project – Communication Contract

On a motion by Mr. Wilson, seconded by Mr. Buffalo, the Board of Trustees ratified change orders #2 and #3 for the M&O/Warehouse Building Project-Communication Contract, Bid #2007/2008-6. Advisory vote: in favor. Motion carried unanimously (5/0).

In response to questions from Mr. Fox, Director of Facilities Planning and Campus Development Doug Jensen explained that every change order goes through an extensive review and each project includes a five percent contingency fund. Mr. Fox asked that Mr. Jensen provide trustees with a list of backup projects to be funded if additional money is available.

H. Communication No. 223-2008/09-BS, Ratification of Change Orders on Bid #2008/2009-7, West Campus Expansion Project – Demolition & Earthwork Contract

On a motion by Mr. Wilson, seconded by Mr. Brown, the Board of Trustees ratified change order #1 for the West Campus Expansion Project, Demolition & Earthwork Contract, Bid #2008/2009-7. Motion carried unanimously (5/0).

I. Communication No. 224-2008/09-BS, Approval of Professional Services Contract Increase for Earth Systems–Southern California for Various Construction Project Testing Services

On a motion by Mr. Wilson, seconded by Mr. Brown, the Board of Trustees authorized the Vice President of Business Services to increase the contract amount for Earth Systems-Southern California. Motion carried unanimously (5/0).

J. Communication No. 225-2008/09-BS, Approval of Contract Increase with Total Concept Landscape Architecture, Inc. for Additional Design Services on Campus Infrastructure Project

On a motion by Mr. Wilson, seconded by Mr. Brown, the Board of Trustees authorized the Vice President of Business Services to increase the contract amount with Total Concept Landscape Architecture, Inc. Motion carried unanimously (5/0).

K. Communication No. 226-2008/09-AA, Acceptance of Antelope Valley College and Kern County Regional Occupational Program AB 2448 Course Sequencing Plan

On a motion by Mr. Fox, seconded by Mr. Wilson, the Board of Trustees accepted the Kern County Regional Occupational Program course sequencing plan. Advisory vote: in favor. Motion carried unanimously (5/0).

L. Communication No. 227-2008/09-AA, Agreement between Lewis Center and Antelope Valley College – K-16 Bridge Program (SB70)

On a motion by Mrs. Wienke, seconded by Mr. Wilson, the Board of Trustees approved the agreement with Lewis Center for the K-16 Bridge Program. Advisory vote: in favor. Motion carried unanimously (5/0).

In response to questions from Mrs. Wienke, Mr. Fox, and Mr. Buffalo, Vice President of Academic Affairs Sharon Lowry advised that the costs will be covered by the SB 70 grant. Interim Dean of Business, Computer Studies, and Economic Development Ann Steinberg; Gordon Soholt, Lewis Center Chief Academic Officer; and David Kenneally, Lewis Center Director of Technology, explained that the program is designed to help build a college-going culture in the region by working with students starting in fourth grade. Mr. Kenneally reported that recent research by Victor Valley College has shown that participation in the program leads to improved retention and success rates.

M. Communication No. 228-2008/09-HR, Memorandum of Understanding between the Antelope Valley Community College District and the Antelope Valley College Federation of Classified Employees (AVCFCE) Regarding Holidays

On a motion by Mr. Buffalo, seconded by Mr. Wilson, the Board of Trustees approved the holiday schedule for 2010, 2011, 2012, and 2013 (through July 4) contingent upon ratification of the memorandum of understanding by members of AVCFCE. Advisory vote: in favor. Motion carried 4/1 with Mrs. Wienke opposed.

Mrs. Wienke objected to multiple-year negotiation of local holidays. Vice President of Student Services Dr. Rosa Hall and Antelope Valley College Federation of Classified Employees President Pamela Ford explained that negotiating holidays in advance benefits the district by facilitating planning of the academic calendar.

N. Communication No. 229-2008/09-AA, Acceptance of Master/Senior Structures Mechanics Aerospace Grant – Economic and Workforce Development Program

On a motion by Mr. Buffalo, seconded by Mr. Wilson, the Board of Trustees accepted the grant from the California Community Colleges Chancellor's Office. Advisory vote: in favor. Motion carried unanimously (5/0).

XVI. INFORMATION ITEMS

A. Informative Report No. 20-2008/09-IR/AA, Accountability Reporting for the Community Colleges (ARCC): AB 1417 (Pacheco, 2004)

Information shared earlier in the meeting regarding the requirement for community colleges to report annually on various performance indicators as well as results for Antelope Valley College was presented.

B. Informative Report No. 21-2008/09-IR/S, New Campuswide Organizational Structure

Dr. Fisher presented the new campuswide organizational structure.

C. Informative Report No. 22-2008/09-IR/S, Proposed Revision of Board Policy 1200 District Mission and Revision of AP 4100 Graduation Requirements for Degrees and Certificates

Dr. Fisher asked trustees to review the proposed revisions to board policy 1200 and administrative procedure 4100. He noted that the board policy revision would be presented for approval at the July meeting.

XVII. REPORTS/ANNOUNCEMENTS

A. Academic Senate

Academic Senate President Patricia Márquez presented Academic Senate, Program Review, and Honors Program annual accomplishments as well as the achievements of the Distance Education, Student Learning Outcomes, and Professional Development committees. She noted that the year-end report of the Academic Policies and Procedures Committee will be presented in July. Ms. Márquez expressed appreciation for the support of the Board, Dr. Fisher, and the vice presidents during her five years in office and announced the new Academic Senate officers:

- Christos Valiotis, Academic Senate President
- Carolyn Burrell, First Vice President
- Jack Halliday, Second Vice President
- Susan Lowry, Officer at Large

B. Employee Organizations

1. Antelope Valley College Federation of Teachers (AVCFT)

Dr. Susan Lowry, AVCFT First Vice President, thanked Ms. Márquez for being a good Academic Senate President.

2. Antelope Valley College Federation of Classified Employees (AVCFCE)

Ms. Ford made positive comments about Classified Recognition week activities, reported that local union representatives will participate in the state organization's health and safety training committee for emergency response, and provided information regarding summer conferences union officers plan to attend.

3. Confidential/Management/Supervisory (CMS) Employees

Ms. Cynthia Hoover shared details of the upcoming professional development opportunities planned for CMS employees.

C. Associated Student Organization (ASO)

ASO President John Cabral commended Dean of Student Development and Services Dr. Jill Zimmerman for the excellent commencement ceremony, reported that the ASO budget will be presented for approval at the July Board of Trustees meeting, and noted that a leadership event has been planned for incoming ASO officers. Mr. Cabral spoke about his term as ASO President and made positive comments regarding the pivotal role that each person at Board meetings plays in making the college function.

D. Antelope Valley College Foundation

Executive Director of Institutional Advancement and Foundation Bridget Razo thanked her staff for their hard work in coordinating the Theater Arts Facility groundbreaking and Scholarship Convocations ceremonies. She noted that the Foundation awarded \$117,000 in scholarships, an increase of \$10,000 over 2007-2008. Ms. Razo expressed pleasure regarding a successful fundraising campaign by staff of the president's and vice presidents' offices that resulted in the purchase of a commemorative bench and scholarships to be awarded in the name of Senior Administrative Assistant Nancy Jo Hatfield. She thanked current Foundation President Dianne Knippel for her work during the last two years and announced that Bret Banks of the Antelope Valley Air Quality Management District will begin a two-year term as President in July.

E. Office of Academic Affairs

Ms. Lowry gave a report regarding the commencement ceremony as well as separate ceremonies held for graduates of the Firefighter Academy, Respiratory Therapy, and Registered Nursing programs. She complimented the Antelope Valley Symphony

Orchestra's *Magic Flute* performance and thanked the three interim deans, Jeffrey Cooper, Michael Jacobs, and Ann Steinberg for their year of service.

F. Office of Business Services

Vice President of Business Services Deborah Wallace thanked Ms. Márquez for serving as Strategic Planning and Budget Council co-chair for the last five years and praised Mr. Cabral.

G. Office of Human Resources

Ms. Wallace reported that several staff members participated in training for HRS system upgrades and noted that the college is part of a pilot program. She announced that the new Vice President of Human Resources and Employee Relations will begin work July 1, 2009.

H. Office of Student Services

Dr. Rosa Hall, Vice President of Student Services, made positive remarks regarding both Ms. Hatfield and the retirement celebration recently held for Academic Affairs Specialist Nancy Caselli. Dr. Hall welcomed Mr. Brown, thanked Mr. Cabral for his service to the ASO, and thanked Dr. Zimmerman and her team for a successful commencement ceremony.

I. Office of Superintendent

Dr. Fisher wished Mr. Cabral success and thanked Ms. Márquez and Dr. Zimmerman.

J. Board Members

1. 2008-2009 Board of Trustees Self Evaluation

Mr. Seefus presented results of the 2008-2009 Board of Trustees self evaluation and noted that a task force has been set up to improve the self-evaluation process.

2. Proposed 2009-2010 Campus Goals Led by the Superintendent/President

Mr. Seefus presented the 2009-2010 campus goals led by the Superintendent/President.

Mr. Brown thanked everyone present for the kind welcome.

Mr. Buffalo, Mr. Fox, and Mrs. Wienke wished Mr. Cabral well and welcomed Mr. Brown. Mr. Buffalo and Mrs. Wienke also thanked Ms. Márquez for her service, and Mr. Buffalo made positive comments regarding the commencement and nursing pinning ceremonies.

XVIII. CLOSED SESSION CONTINUED

The Board of Trustees adjourned to closed session at 10:12 p.m. to consider the level four grievances of Payam Heidary (Collective Bargaining Agreement Article XIV, Section 4.5, Education Code Section 87610.1(b) and 87740).

XIX. RECONVENE TO PUBLIC SESSION

The Board reconvened to public session at 10:29 p.m.

XX. REPORT OF ACTION FROM CONTINUED CLOSED SESSION

Mr. Seefus announced that on a 3/0 vote with Mr. Wilson absent and Mr. Fox abstaining, the Board found that there was no violation of the Collective Bargaining Agreement between the district and the Antelope Valley College Federation of Teachers and therefore rejected the level four grievances filed by Payam Heidary.

XXI. DATE OF NEXT MEETING

The next regular meeting of the Board of Trustees will be held Monday, June 8, 2009. After opening the public session in Room A140 at 5:30 p.m., the Board will adjourn to closed session until 6:30 p.m. at which time it will again reconvene to public session in Room SSV 151 (Student Services Building).

XXII. ADJOURNMENT

President Seefus adjourned the meeting at 10:30 p.m.

Approved by Board of Trustees
July 13, 2009

Respectfully submitted,

President

Jackie L. Fisher, Sr., Secretary

Clerk